



Marianne Means: Common sense on 'Plan B'

By Marianne Means

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WASHINGTON — The Food and Drug Administration's belated approval of limited over-the-counter sales of an emergency contraceptive called Plan B was certainly welcome, no matter how begrudgingly made.

Plan B had become a target of the religious right, which argued that the after-sex pill would encourage promiscuity and disease by preventing unwanted pregnancy.

These self-serving political guardians of female morality irrationally likened Plan B to abortion, although just like regular birth control pills — used safely by millions of women for more than three decades — it prevents ovulation and fertilization and cannot end an existing pregnancy.

FDA professionals had overwhelmingly found the pill safe to use and studies had concluded its availability did not lead to increased immorality. An FDA advisory panel recommended approval of over-the-counter sales in December, 2003.

The agency's political appointees, however, overruled the panel on the pretext there was not enough evidence about the effect of its use by girls younger than 16. The theory was that no woman of any age should be able to get the pills without a prescription if teens could also get it. Oh, pleeeze! What is it that social conservatives don't understand about the obvious fact that fewer unwanted pregnancies mean fewer abortions? The very public struggle over the pill's availability became a test of how far President Bush was willing to go to distort science for his own political ends. Indeed, after he allowed the FDA to go ahead, anti-abortion activists rushed forward to complain that Bush had abandoned their cause.

Bush compromised because the controversy had become another black eye on his already-battered public standing. He cannot shake the war in Iraq nor the uneven economy, but he could help to repair the FDA's sinking credibility.

Under new FDA rules, Plan B pills will still not be as easily obtainable as condoms. Women will no longer need a prescription, but pharmacists will keep the drugs behind a counter and they cannot be sold to girls under the age of 18.

Not a perfect solution, but it beats frantically searching for a friendly doctor to block the risk of pregnancy after a rape or an unexpected night of passion without a condom. The pill must be taken within 72 hours to be effective.

The decision represents a victory for women's health, common sense in medicine — and Sens. Hillary Clinton of New York and Patty Murray of Washington.

Clinton and Murray forced the decision using old-fashioned hardball politics to end three years of FDA stalling on the issue.

The two Democratic senators thought they had a promise from former FDA Commissioner Lester Crawford during his 2005 confirmation to make a prompt decision on the issue. But once confirmed, Crawford's decision was not to decide. Instead he announced further rulemaking proceedings — more stalling.

Clinton and Murray understandably felt betrayed.

Crawford resigned abruptly after only two months in office. His replacement, former National Cancer Institute director Andrew von Eschenbach, came before the Senate this month for his own confirmation. He announced that he would tolerate no more delays.

And he promised to figure out how to make Plan B counter-friendly at last.

Clinton and Murray put a Senate "hold" on his confirmation until he matched his words with deeds. There's an old saying: Fool me once, shame on you — fool me twice, shame on me. If any Republican hasn't yet figured out that Clinton and Murray are no girly softies, it's time that lesson sank in.

There's still plenty of potential political fallout from the administration's shift in policy. Nothing remotely touching on abortion issues is simple.

There will be fights over pharmacies and hospitals that refuse to sell the pill. On the other hand, Wall-Mart recently agreed to sell it, which puts pressure on other big stores to follow suit.

Another front in the reproductive choice war is South Dakota, where the Legislature passed a measure to make all abortion a felony, except when the mother's life is in jeopardy. If the pregnant woman has been raped or a victim of incest, she is required to bear the child. There is only one functioning abortion clinic in the entire state. It is open one day a week.

The governor immediately signed the bill making the ban the most severe in the country, which S.D. lawmakers hoped would provide a vehicle for overturning Roe v. Wade, the 1973 Supreme Court decision giving abortion partial constitutional protection.

Anti-abortion sentiment is strong in the state, but many voters see the abortion ban as too restrictive. Opponents successfully campaigned for a petition to put the ban on the November ballot.

A Mason-Dixon poll in July indicated the opponents of the ban have an 8-point lead, 47 percent to 39 percent. It's a sign that something may be stirring, even in a very red state.

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